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**Agriculture & Natural Resources  
Committee**

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**HB 1484**

**Brief Description:** Expanding the riparian open space program to include lands that contain habitat of species that are federally listed as threatened or endangered.

**Sponsors:** Representatives Van De Wege, Orcutt, Hurst, McCoy and Blake.

**Brief Summary of Bill**

- Establishes a program for the acquisition of habitat of federally listed species on private forest lands.

**Hearing Date:** 2/3/09

**Staff:** Jaclyn Ford (786-7339)

**Background:**

The Washington Forest Practices Board was established in 1975 by the Legislature under the state Forest Practices Act, and is charged with establishing rules to protect the state's natural resources while maintaining a viable timber industry.

The Forest Practices Board established by rule a Riparian Open Space Program that allows for the acquisition of lands within unconfined avulsing channel migration zones. An "unconfined avulsing stream" experiences abrupt shifts in channel location, creating a complex flood plain characterized by extensive gravel bars, disturbance species of variable age, numerous side channels, wall-based channels, oxbow lakes, and wetland complexes. An "unconfined avulsing channel migration zone" means the area within which the active channel of an unconfined avulsing stream is prone to move and where the movement would result in a potential near-term loss of riparian forest adjacent to the stream. The unconfined avulsing channel migration zone does not include areas permanently restricted from channel movement by a dike or levee.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Qualifying landowners can apply to donate or sell their land and/or timber in designated forest land that exists along migrating stream channels. They can also sell the state permanent conservation easements covering the timber and/or forestland. Once acquired, these lands may be held and managed by the Department of Natural Resources, transferred to another state agency, transferred to an appropriate local government agency, or transferred to a private nonprofit nature conservancy organization. The rules must provide for the management of the lands for ecological protection or fisheries enhancement.

**Summary of Bill:**

The Forest Practices Board must establish by rule a program for the acquisition of riparian open space and habitat of federally listed species on private forest lands. At the landowner's option, acquisition may be of a fee interest or a conservation easement. Lands eligible for acquisition are forest lands within unconfined avulsing channel migration zones or containing habitat of species that are federally listed as threatened or endangered.

**Appropriation:** None.

**Fiscal Note:** Requested on 1/28/09.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.